Under the Pa	Roeswork Reduction Act of 1595	Lague de la bellière de la lague de la	US Patentano Ti a collection of infi	PTO/SB/21 (09-04 Approved for use through 07/31/2006. OMB 0651-003* Approved for use through 07/31/2006. OMB 0651-003* Approved for use through 07/31/2006. OMB 07/31/2006 Approved for use through 07/31/2006 OMB 07/31/2006 Approved for use through
		Application Number	10/622,545	
TF	RANSMITTAL	Filing Date	07/21/2003	3
	FORM	First Named Inventor	DICKIE, R	oben G. RECEIVED
		Art Unit	2875	CENTRAL FAX CEN
	e au antono adama adama	Examiner Name	NEGRON.	
	all correspondence after inflat If Pages in This Submission	Attorney Docket Numb	per 13503-05	
		ENCLOSURES (Chec	k ali that apply	)
Amendam  A  Extension  Express  Information  Certified  Documer  Reply to Incomple	ismittal Form  See Attached  Sent/Reply  In of Time Request  Abandonment Request  on Disclosure Statement  Copy of Priority  Int(s)  Missing Parts/ Ite Application  Reply to Missing Parts  Index 37 CFR 1.52 or 1.53	Drawing(s)  Licensing-related Papers  Petition  Petition to Convert to a Provisional Application Power of Attorney, Rever Change of Corresponder  Terminal Disclaimer  Request for Refund  CD, Number of CD(s)  Landscape Table o	न्त्ररion Ice Address	After Allowance Communication to TC Appeal Communication to Board of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Proprietary information Status Letter Other Enclosure(s) (please identify below):
	SIGNA	TURE OF APPLICANT, AT	TORNEY, O	R AGENT
im Name	Keyser Mason Ball, LLP			
ignature	9	Jans		
rinted name	Donald E. Hewson			, <u> </u>
a to	JANHARY 1	0, 2005	Reg. No.	22,241
hereby coruly th sufficient postage he date shown b	nar this correspondence is t a as first class mail in an en	ERTIFICATE OF TRANSM: eing facsimile transmitted to the U velope addressed to: Commission	SPTO or deposi	LING ited with the United States Postal Service with O. Box 1450, Alexandria, VA 22313-1450 on
ne cate snown o Signature	JOINWY.	0/ 1/2	<del>)</del>	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USFTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting this completed application form to the USFTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for requiring this curden, should be sent to the Chief information Officer, U.S. Patent and Tracement Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA. 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA. 22313-1450.

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T-019 P.02/11 F-176

Application No: 10/622543 Letter dated January 10, 2005

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## IN THE UNITED STATES PATENT AND TRADE-MARK OFFICE JAN 1 0 2005

inventor(s):

Dickie, Robert G.

Title:

Night Light Having Directionally Adjustable Light

Output.

**Application No:** 

10/622543 07/21/2003

Filing Date: Art Unit:

2875

Examiner:

Negron, Ismael

Attorney Docket No.:

13503-05

Via facsimile no.: 1-703-872-9306

January 10, 2005

The Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

### LETTER

Sir: Applicant submits herewith an Information Disclosure Statement Form PTO/SB/08A identifying all of the prior art that has been cited in cognate PCT application PCT/CA2004/001060. That art has been cited in an International Search Report which was mailed from the European Patent Office on December 22, 2004. A copy of the entire International Search Report, as received January 5, 2005, is submitted herewith.

No representation is made herein as to whether or not Applicant agrees with the categorization of each of the cited prior art references.

Application No: 10/622543 Letter dated January 10, 2005

The requirements of 37 C.F.R. 1.97 and 1.98 have been satisfied by this communication.

Respectfully submitted,

Keyser Mason Ball, LLP Agents for the Applicants

Donald E. Hewson, Registration No. 22,241

**Attachments** 

PTO/SB/08A (08-03)

Under the Paperwork Reduction Act of 1995, no persons are required to	U.S. Parent and Trea	pproved for use through 07/31/2008 DMB 0661-003 demark Office; U.S. DEPART MENT OF COMMERC! mation unless it contains a valid OMB control number
Substitute for form 1449/PTO		omplete if Known
· · · · · · · · · · · · · · · · · · ·	Application Number	10/622,543
INFORMATION DISCLOSURE	Filing Date	07/21/2003
STATEMENT BY ADDITIONS	First Named Inventor	DICKIE, Robert G

(Use as many sheets as necessary) Examiner Name NEGRON, Ismael Altorney Docket Number 13503-05 Sheet

Examiner Inicals*	Crip No.1	Document Number  Number-Kind Code <sup>2 (# mont)</sup>	Publication Date	Name of Patenties or Applicant of Cited Document	Pages, Columns, Linea Where Relevant Passages or Relevant Pigures Appear
		us-3,706,004A	12-12-1972	Schwartz, Frederic W	
		<sup>US-</sup> 6,390,647B1	05-21-2002	Shaefer, Louisa	
		US- 2003/07668UA1	04-24-2003	Stekelenburg, Albert	
		<sup>US-</sup> 6,576,852B1	06-10-2003	Shu Kuo-Fen	
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		us- 2002/141177A1	10-03-2002	Stekelenburg, Albert	
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	Or Relevant Figures Appear		MM-DD-YYYY	Country Coco <sup>8</sup> Number <sup>4</sup> King Coch <sup>6</sup> (# know#)		
		Steinel GMBH	07-21-1982	EP 0 056 104 A		
		ThomElectrical	09-20-1978	GB 1 525 569A		
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			1			
_		Nifco Inc.	06-20-1995	JP 07 156711A		

Examiner Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 608. Draw line through Gration if not in conformance and not considered, include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional) Sea Kinds Codes of USPTO Pattent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901 04 Senter Office that issued the occument, by the two-letter code (WIPO Standard ST 3) For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Sund of document by the appropriate symbots as indicated on the document under WIPO Standard ST 16 if possible Applicant is to place a check mark need if English language Translation is attached.

Transcatterion of information is required by 37 CFR 1 97 and 1.98. The information is required to obtain or retain a benefit by the public which is the (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gaments, preparing, and submitting the completed application from to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to pempiete this form annot suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Apparation, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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## PATENT COOPERATION TREATY

RECEIVED JAN - 5 2005

From the INTERNATIONAL SEARCHING AUTHORITY	PC	T
To: KEYSER MASON BALL, LLP Four Robert Speck Parkway Suite 1600 Mississauga, ON L4Z 1S1 CANADA	NOTIFICATION OF T THE INTERNATIONAL SE THE WRITTEN OPINION OF SEARCHING AUTHORITY, (	ARCH REPORT AND THE INTERNATIONAL
	(PCT R	ule 44.1)
	Date of mailing (day/month/year) 22/12/	2004
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13503-11		ee paragraphs 1 and 4 below
International application No.	International filing date (day/month/year)	2004
PCT/CA2004/001060 Applicant	(daymoniavybar) 21/07/	2004
ELUMINA LIGHTING TECHNOLOGIES INC.		
The applicant is hereby notified that the international search Authority have been established and are transmitted herewl Filing of amendments and statement under Article 19: The applicant is entitled, if he so wishes, to amend the claim When? The time limit for filing such amendments is non international Search Report; however, for more international Search Report; however, for more wither all the international Bureau of WiPO, 34 1211 Geneva 20, Switzerland, Fs For more detailed instructions, see the notes on the accordance in the applicant is hereby notified that no international search Article 17(2)(a) to that effect and the written opinion of the ist.  With regard to the protest against payment of (an) additionable in the protest together with the decision thereon has been applicant's request to forward the texts of both the protest international Bureau. If the applicant wishes to avoid or postported application, or of the priority claim, must reach the international Bureau. If the applicant wishes to avoid or postported applicant may submit comments on an informal basis on the international Bureau. The International Bureau will send a copy of international preliminary examination report has been or is to be the public but not before the expiration of 30 months from the protest of so examination must be filed if the applicant wishes to postpone the date (in some Offices even later); otherwise, the applicant must, acre for entry into the national phase before those designated Offices, Volume II, National Chapters and the WIPO internet stea.	ins of the international Application (see maily 2 months from the case of transmodetails, see the notes on the accompationalis, see the notes on the accompational Searching Authority are transmitted to the International Searching Authority are transmitted to the International Bureau feets) under Rule 40.2, the application will be notified as soon as a decipicant will be notified as soon as a decipication.  Written opinion of the international Search comments to all designated Officestate.  The casignated Offices, a demand for it entry into the national phase until 30 months from the phority data.  The comments to all designated Offices, as demand for it entry into the national phase until 30 months from the phority data.	Rule 46):  Intral of the Intral of the the
Name and mailting address of the International Searching Authority  European Patent Office, P.B. 5818 Patentiaan 2  NL-2280 HV Rijswijk  Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,  Fax: (+31-70) 340-3016	Authorized officer Stefanie Hacker	DEADLINE: 120 27 5

### NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basis instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty in case of discrepancy between those Notes and those requirements, the latter are applicable. For more detailed information, see also the PCT Applicant's Guide, a publication of WIPO.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions respectively.

## INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims between international physication. Furthermore, it should be emphasized that provisional protection is available in some States only.

### What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the International phase, the claims may also be amended (or further amended) under Arbole 34 before the International Profiminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all pans of the international application may be amended under Article 28 or, where applicable, Article 41.

#### When?

Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Fluie 46.1).

### Where not to file the assentments?

The amendments may only be filed with the international Bureau and not with the receiving Office or the International Searching Authority (Rule 48.2).

Where a demand for international preliminary examination has been is filed, see below.

### How?

Either by sancetting one of more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the cheet originally filed.

All the claims appearing on a replacement sheet must be reumbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative (natructions, Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

### What documents must/may accompany the amendments?

Lotter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims, it should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

Notes to Form PCT/ISA/220 (first sheet) (January 1994)

# BEST AVAILABLE COPY

### NOTES TO FORM PCT/ISA/220 (continued)

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged;
- (ii) the claim is cancelled.
- (iii) the claim as new;
- (iv) the claim replaces one or more claims as filed:
- (v) the claim is the result of the division of a claim as filed.

## The following examples filustrate the manner in which amendments must be explained in the secompanying letter:

- [Where originally there were 48 claims and after amendment of some claims there are 51):
  "Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers; claims 30, 33 and 36 unchanged; new claims 49 to 51 added."
- 2 (Where originally there were 15 claims and after amendment of all claims there are 11): "Claims 1 to 15 replaced by amended claims 1 to 11."
- [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims;
   "Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or "Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged."
- [Where various kinds of amendments are made]:
   "Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 eutodivided into amended claims 15, 16 and 17; new claims 20 and 21 added."

#### "Statement under article 19(1)" (Rulo 46.4)

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19/1))

The statement will be published with the international application and the amended claims.

it must be in the language in which the international appplication is to be published.

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended, it must be filed on a separate sheet and must be identified as such by a heading, professibly by using the words "Statement under Article 19(1)."

It may not contain any disparaging comments on the international search report or the relevance of obstions contained in that report. Perference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

### Consequence if a demand for international proliminary examination has already been filed

If, at the time of filing any amendments under Article 19, a demand for international proliminary examination has stready been submitted, the applicant must preferably, at the same time of filing the amendments with the international Bureau, also file a copy of such amendments with the International Preliminary Examining Authority (see Rule 62.2(a), first sentence).

### Consequence with regard to translation of the international application for entry into the national phase

The applicant's attention is drawn to the fact that, where upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/stected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see Volume I) of the PCT Applicant's Guide

Notes to Form PCT/ISA/220 (second sheet) (January 1994)

### PATENT COOPERATION TREATY

## PCT

### INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicants or agents file reference	FOR FURTHER ACTION as	see Form PCT/ISA/220 well as, where applicable, item 5 pelow.
international application No.	international tking date (day/montr/year)	(Earliest) Prionty Date (day/month/year)
PCT/CA2004/001060	21/07/2004	21/07/2003
Appicant	GIES INC.	
according to Article 18. A copy is being to This International Search Report consists	ansmitted to the International Bureau.	Authority and is transmitted to the applicant this report.
ianguage in which it was filed, un		basis of the international application in the ansation of the international application furnished to
	· · · ·	sed in the international application, see Box No. I.
2. Certain claims were for	und unsearchable (See Box II).	
3. Unity of invention is last	king (see Box III).	
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Form PCT/ISA/210 (first sheet) (January 2004)

## INTERNATIONAL SEARCH REPORT

International Application No

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X	EP 0 056 104 A (STEINEL GMBH &	CO KG)	1-3,6-9
v	21 July 1982 (1982-07-21)		
Υ	the whole document		10-16
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Y	12 December 1972 (1972-12-12) the whole document		10.05
			10-16
X	US 6 390 647 B1 (SHAEFER LOUISA 21 May 2002 (2002-05-21)	.)	1-3,6-9
	column 2, line 46 - column 5, l	ine 10:	
	figures 1-4,5c		
x .	US 2003/076680 AI (STEKELENBURG	ALBERT)	1-3
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	Tol. (+31-70) 340-2040, Tx 31 651 epo nj,	Berthommé.	E

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Form PCT//SA/210 (second sneet) (January 2004)

### INTERNATIONAL SEARCH REPORT

International Application No PCT/CA2004/001060

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tegory *	Crasion of document, with indication, where appropriate, or the relevant passages	Relevant to claim No
	US 6 576 852 B1 (SHU KUO-FEN) 10 June 2003 (2003-06-10) the whole document	1,2
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US 2003086266	Al	08-05-2003	NONE		· · · · · · · · · · · · · · · · · · ·
US 3203126	Α	31-08-1965	NONE		
GB 1525569	A ·	20-09-1978	DE	7534437 U	19-02-1976
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